Ontario

Ontario Highway Transport Board

ANNUAL REPORT

1988

ANNUAL REPORT

OF

THE ONTARIO HIGHWAY TRANSPORT BOARD

for the year ending December 31, 1988

Ce document est aussi disponible en français.

To: The Honourable Lincoln Alexander, P.C., K. St. J., Q.C., B.A.
Lieutenant-Governor of the Province of Ontario

MAY IT PLEASE YOUR HONOUR:

The undersigned takes pleasure in submitting the Annual Report for the Ontario Highway Transport Board for the calendar year ending December 31, 1988.

Respectfully submitted,

William Wrye
Minister.

To: The Honourable William Wrye, Minister of Transportation

Sir:

I have the honour to present the report of the activities of The Ontario Highway Transport Board for the calendar year ending on December 31, 1988.

Respectfully submitted,

B. E. Smith,
Chairman.

92-05102/

ANNUAL REPORT
OF
THE ONTARIO HIGHWAY TRANSPORT BOARD
for the year ending December 31, 1988

The Ontario Highway Transport Board pursuant to Section 29 of the Ontario Highway Transport Board Act, R.S.O. 1980, Chapter 338 begs leave to submit its thirty-third Annual Report upon its affairs to the Honourable the Minister of Transportation for the calendar year 1988.

MEMBERS OF THE BOARD:		DATE APPOINTED
B. E. Smith	Chairman	March 10, 1986
J. E. Magee	Vice Chairman	April 2, 1986
M. D. Priest	Vice Chairman	March 17, 1986
E. J. Canning	Member	March 1, 1980
K. B. McMillan *	Member	June 14, 1985
G. J. Norton **	Member	June 1, 1976
G. R. Samis	Member	March 17, 1986
M. H. Shecter	Member	January 12, 1981
E. R. Skelcher	Member	February 14, 1987

* Retired - December 13, 1988

** Retired - November 30, 1988

ADMINISTRATION

In 1988, 4705 applications were received - a decrease of almost 7% over the previous year. In addition, 70 Airport Limousine applications for service to the Lester B. Pearson International Airport are still pending.

A good part of the administrative activity during the year was associated with familiarizing Board staff with the function and application of the new Motor Vehicle Transport Act, 1987 and the Regulations thereto promulgated January 1st, 1988.

Due to changes in responsibilities for the Board under Bill 88 to be called the Truck Transportation Act and the Ontario Highway Transport Board Amendment Act, further restructuring of administrative staff and functions have been carried out.

The Chairman of the Board continues to oversee the development and transfer of administrative responsibilities between the Board and the Ministry of Transportation.

MOTOR VEHICLE TRANSPORT ACT, 1987

On January 1st, 1988, the Motor Vehicle Transport Act, 1987 came into force. This is a Federal Act respecting motor vehicle transport for the carriage of goods and passengers by extra-provincial undertakings, replacing the Motor Vehicle Transport Act (Canada) of 1954.

Entry into extra-provincial for hire trucking is now based on fitness of the applicant rather than public necessity and convenience. Fitness tests will examine competency and will stress the safety aspect of commercial vehicle operation. A public interest hearing is authorized if an objecting party satisfies the Board with evidence that the operation proposed by the applicant would likely be detrimental to the public interest.

REWRITTEN TRUCK LICENCES

In accordance with the provisions of the new section 10b of the Public Commercial Vehicles Act, R.S.O. 1980, Chapter 407, the Board this year continued its responsibility in the truck licence rewrite program.

A licensed carrier may, by application, request that its operating authority be rewritten in standard form utilizing the Standard Transportation Commodity Code (STCC). Under the program, a carrier may receive operating rights that are not less than it already holds, but not significantly greater either, except to the extent necessary to conform with the prescribed criteria.

The objective of the licence rewrite program is to introduce and encourage uniformity in the language of truck transportation licences, and to enable the carriers to secure operating authorities which will facilitate their operations as the new Truck Transportation Act comes into force.

Approximately seven thousand applications for rewritten licences have been filed with the Ministry, and of that total, the Board has issued 1350 rewritten certificates in 1988.

PETITIONS TO CABINET

Section 22 of the Ontario Highway Transport Board Act, R.S.O. 1980, Chapter 338, provides, "Upon the petition of any party or person interested, filed with the Clerk of the Executive Council within sixty days after the date of any order or decision of the Board, the Lieutenant Governor in Council may,

(a) confirm, vary or rescind the whole or any part of such order or decision; or

(b) require the Board to hold a new public hearing of the whole or any part of the application to the Board upon which such order or decision of the Board was made,

and the decision of the Board after the public hearing ordered under clause (b) is not subject to petition under this section."

During the course of 1988, 6 Petitions were filed with the Clerk of the Executive Council, and their disposition was as follows:

(i)	The Board's original decision was confirmed:	1 petition
(ii)	Executive Council unable to consider petition due to statutory restriction:	1 petition
(iii)	The Board's original decision was varied:	1 petition
(iv)	Petitions pending before Executive Council:	2 petitions
(v)	Petitions withdrawn:	1 petition

APPENDIX "A"

1	New Position
2	Position Abolished
3	To/From Other Chart
4	Position Title Change
5	Position Number Change
6	Changed Reporting Relationship
7	Miscellaneous - See Note
8	Revised Chart

Letter	Legend	Date

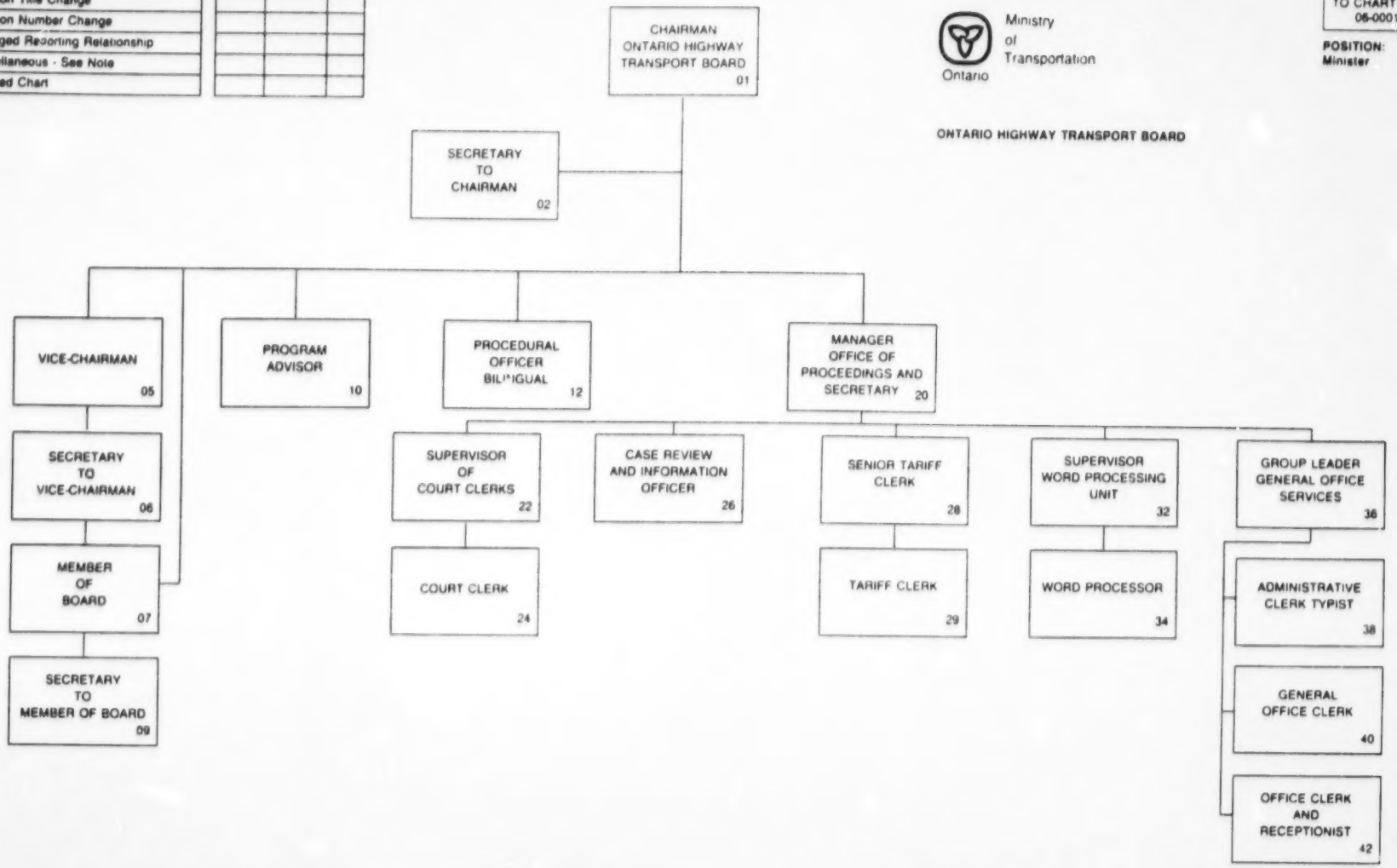
CHART NO 06-0010

TO CHART NO 06-0001

POSITION: Minister

Ministry of Transportation
Ontario

ONTARIO HIGHWAY TRANSPORT BOARD


CHAIRMAN ONTARIO HIGHWAY TRANSPORT BOARD 01
SECRETARY TO CHAIRMAN 02
VICE-CHAIRMAN 05
SECRETARY TO VICE-CHAIRMAN 06
MEMBER OF BOARD 07
SECRETARY TO MEMBER OF BOARD 09
PROGRAM ADVISOR 10
PROCEDURAL OFFICER BILINGUAL 12
MANAGER OFFICE OF PROCEEDINGS AND SECRETARY 20
SUPERVISOR OF COURT CLERKS 22
COURT CLERK 24
CASE REVIEW AND INFORMATION OFFICER 26
SENIOR TARIFF CLERK 28
TARIFF CLERK 29
SUPERVISOR WORD PROCESSING UNIT 32
WORD PROCESSOR 34
GROUP LEADER GENERAL OFFICE SERVICES 36
ADMINISTRATIVE CLERK TYPIST 38
GENERAL OFFICE CLERK 40
OFFICE CLERK AND RECEPTIONIST 42

APPROVED _____
Chairman

APPENDIX "B"

BOARD POLICIES AND PROCEDURES

Policy Statements

Continuing its practice of publishing formulated policy, Board Policy Statements issued to date are as follows:

No. 001/78-9-29 (cancelled and superseded by Policy Statement No. 004/79-8-2)	Renewal of licence under the Public Commercial Vehicles Act.
Effective date:	September 29, 1978
No. 002/79-2-1	Adjournment of Hearing
Effective date:	February 1, 1979
No. 003/79-5-14	Admissibility as evidence of photocopies and microfilm prints.
Effective date:	May 14, 1979
No. 004/79-8-2	Renewal of a public commercial or public vehicle operating licence.
Effective date:	Immediate
No. 005/79-9-7	Recording of hearing proceedings.
Effective date:	September 7, 1979
No. 006/79-9-7	Transfers and temporaries.
Effective date:	September 7, 1979

No. 007/79-9-7	Cancellation of interim licence of adjournment of hearing.
Effective date:	September 7, 1979
No. 008/79-11-19	Expanded use of Section 8 proceedings.
Effective date: (amended by Policy Statement No. 012/81-1-1)	Immediate
No. 009/80-1-14	Hearing procedures for applications for Class "R" operating licence.
Effective date:	Immediate
No. 010/80-9-4	Complementary authorities.
Effective date:	Draft for discussion purposes - no implementation date.
No. 011/80-9-30	Distribution of notices of decision.
Effective date:	Immediate
No. 012/81-1-1	Amendment to Policy Statement No. 008/79-11-19. Expanded use of Section 8 proceedings.
Effective date:	January 1, 1981
No. 013/81-6-25	Complementary authorities.
Effective date:	Immediate
No. 014/81-9-16	Filing of Notices of Objection.
Effective date:	September 16, 1981

No. 015/81-12-2	Change of name of licence holders P.C.V. operating licences.
Effective date:	Immediate
No. 016/81-12-2	Issuance of summonses.
Effective date:	December 2, 1981
No. 017/82-6-22	Commercial motor vehicle lease approval.
Effective date:	July 1, 1982
No. 018/82-12-22	Metrication of weight, size and distance in applications.
Effective date:	December 22, 1982
No. 019/83-1-31	Metropolitan Toronto commercial zone.
Effective date:	Immediate
No. 020/83-3-23	Procedures for issuing non-permanent authorities.
Effective date:	May 30, 1983
No. 021/83-4-14	In-transit authorities.
Effective date:	Immediate
No. 022/83-6-27	Applications received after June 21, 1983.
Effective date:	Immediate
No. 024/83-8-16	Form of headings for orders, certificates and reports.
Effective date:	August 22, 1983

No. 025/83-8-18	Requests for adjournments.
Effective date:	Immediate
No. 026/83-10-5	Listings for the Ontario Gazette.
Effective date:	Immediate
No. 027/84-4-26	Scheduling of Hearings.
Effective date:	Immediate
No. 028/84-11-19	Applications for interim and temporary operating licences.
Effective date:	December 1, 1984
No. 029/85-5-2	Filing of Complementary authorities.
Effective date:	April 15, 1985
No. 030/85-5-15	Transfer of part of an operating licence.
Effective date:	Immediate
No. 031/85-6-26	Applications for operating licences by applicants currently unlicensed.
Effective date:	July 15, 1985
No. 032/85-6-26	Reduction of administrative costs to the public and industry.
Effective date:	July 15, 1985

No. 033/85-9-23	Clarification of procedures respecting renewals of expired operating licences.
Effective date:	Immediate
No. 036/85-12-11	Tariff approval for new public vehicle services.
Effective date:	March 1, 1986
No. 037/86-7-10	Amendment to Policy Statement 031/85-6-26. Qualifications of New Carriers.
Effective date:	Immediate
No. 038/87-3-24	Applications for Temporary and Permanent Operating Licences by unlicensed applicants
Effective date:	Immediate

APPENDIX "C-1"

THE ONTARIO HIGHWAY TRANSPORT BOARD

REVENUE

January 1st to December 31st, 1988

Application Fees	$ 72,480.00
Court Costs	$ 42,977.75
Tariffs (including copies)	$ 16,523.14
Credits and U.S. Exchange	$ 4,506.23
Miscellaneous	$141,188.19
Gross Revenue	$277,675.31
Refunds and N.S.F. Cheques	$ 7,831.77
Net Revenue	$269,843.54

APPENDIX "C-2"

THE ONTARIO HIGHWAY TRANSPORT BOARD

FINANCE

January 1st to December 31st, 1988

	TOTAL SALARIES & WAGES	TOTAL TRANSP. COMM.	TOTAL SERVICES	TOTAL SUPPLIES & EQUIP.	TOTAL DIRECT OPERATING EXPENSES	COST CENTRE TOTAL
1. Funds Available	1062.3	71.5	157.1	16.4	245.0	1307.3
2. Actual Expenditures	977.7	41.1	108.1	24.1	173.3	1151.0
3. Funds available to fiscal Year End	84.6	30.4	49.0	7.7	71.7	156.3

APPENDICES "D-1 TO D-5"

THE ONTARIO HIGHWAY TRANSPORT BOARD

GLOSSARY

INITIALS	COMPLETE TERM
A C D E F FS H K R T W	CLASSIFICATION OF LICENCES UNDER REGULATION 832 UNDER THE PUBLIC COMMERCIAL VEHICLES ACT, R.S.O. 1980, CHAPTER 407
GF	GENERAL FREIGHT
HG	HOUSEHOLD GOODS
NC	NAMED COMMODITY
HS	HEAVY SPECIALIZED
PV	PUBLIC VEHICLE
PVS	PUBLIC VEHICLE (SCHOOL BUS)
PVX	EXTRA-PROVINCIAL PUBLIC VEHICLE
PCV	PUBLIC COMMERCIAL VEHICLE
MVT	MOTOR VEHICLE TRANSPORT
TV	TANK VEHICLE
IC	INTERCHANGE
BG	BULK GOODS
RC	ROAD CONSTRUCTION

APPENDIX "D-1"

THE ONTARIO HIGHWAY TRANSPORT BOARD

APPLICATIONS RECEIVED

January 1st to December 31st, 1988

CLASS OF LICENCE

Public Commercial Vehicles Act

A	173
C	27
D	472
E	5
F	20
FS	16
H	71
K	65
R	993
T	74
W	26
GF	17
HG	1
NC	37
HS	1
	1998

Public Vehicles Act

PV	157
PVS	163
	320

Motor Vehicle Transport Act, 1987

Extra-provincial	1609
Corridor	137
Intra-provincial	563
PVX	78
	2387

Total	4705

Airport Limousine Applications 70 (Pending)

APPENDIX "D-2"

THE ONTARIO HIGHWAY TRANSPORT BOARD

APPLICATIONS PROCESSED

January 1st to December 31st, 1988

CLASS	TOTAL	GRANTED	DENIED	# of CASES OPPOSED	# of RESPONDENTS
A	129	117	12	51	140
C	17	16	1	5	17
D	356	322	34	93	196
E	5	5	0	0	0
F	15	14	1	3	4
FS	14	14	0	1	1
H	50	42	8	18	40
K	50	43	7	23	38
R	829	706	123	8	13
T	58	56	2	11	18
W	15	10	5	7	11
GF	15	14	1	9	18
HG	1	1	0	1	1
NC	31	26	5	6	12
HS	0	0	0	1	1
PCV	1585	1386	199	237	510
PV	93	79	14	59	274
PVS	129	127	2	7	7
PV	222	206	16	66	281
EXTRA-PROVINCIAL	1322	1310	12	1031	1940
CORRIDOR	105	105	0	2	2
INTRA-PROVINCIAL	233	220	13	248	874
PVX	60	55	5	17	53
MVT	1720	1690	30	1298	2869
TOTAL	3527	3282	245	1601	3660

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL
REASONS FOR DECISION	3	1	0	2	5	4	7	7	3	3	3	0	38

APPENDIX "D-3"

THE ONTARIO HIGHWAY TRANSPORT BOARD

APPLICATIONS RECEIVED

FOR THE YEAR 1988

PUBLIC COMMERCIAL VEHICLES ACT

CLASS	GRANTED	DENIED	WITHDRAWN	PENDING	TOTAL
A	117	12	24	20	173
C	16	1	7	3	27
D	322	34	83	33	472
E	5	0	0	0	5
F	14	1	4	1	20
FS	14	0	2	0	16
H	42	8	16	5	71
K	43	7	13	2	65
R	706	123	127	37	993
T	56	2	7	9	74
W	10	5	11	0	26
GF	14	1	1	1	17
HG	1	0	0	0	1
NC	26	5	2	4	37
HS	0	0	1	0	1
TOTAL	1386	199	298	115	1998

PUBLIC VEHICLES ACT

CLASS	GRANTED	DENIED	WITHDRAWN	PENDING	TOTAL
PV	79	14	41	23	157
PVS	127	2	16	18	163
TOTAL	206	16	57	41	320

APPENDIX "D-4"

THE ONTARIO HIGHWAY TRANSPORT BOARD

APPLICATIONS RECEIVED

FOR THE YEAR 1988

MOTOR VEHICLE TRANSPORT ACT, 1987

CLASS	GRANTED	DENIED	WITHDRAWN	PENDING	TOTAL
PVX	55	5	10	8	78
EXTRA-PROVINCIAL	1311	12	88	200	1611
CORRIDOR	105	0	6	26	137
TOTAL	1471	17	104	234	1826

INTRA-PROVINCIAL APPLICATIONS

NC	70	7	35	112	224
GF	75	5	40	90	210
TV	22	0	6	5	33
IC	8	0	5	4	17
HS	1	0	1	0	2
HG	7	0	1	2	10
BG	3	0	1	0	4
H	3	0	0	0	3
T	2	0	0	0	2
D	11	0	6	3	20
A	15	1	7	12	35
RC	2	0	0	0	2
TOTAL	219	13	102	228	562

APPENDIX "D-5"

THE ONTARIO HIGHWAY TRANSPORT BOARD

TRANSFERS RECEIVED

FOR THE YEAR 1988

ACT	TOTAL	GRANTED	DENIED	WITHDRAWN	PENDING
PCV	304	259	1	22	22
MVT	14	1	2	2	9
PV	79	59	1	8	11
TOTAL	397	319	4	32	42

TEMPORARIES RECEIVED

FOR THE YEAR 1988

ACT	TOTAL	GRANTED	DENIED	WITHDRAWN	PENDING
PCV	272	115	48	91	18
MVT	213	57	9	53	94
PV	62	44	3	9	6
TOTAL	547	216	60	153	118

APPENDIX "D-6"

THE ONTARIO HIGHWAY TRANSPORT BOARD

METROPOLITAN TORONTO AND OUT OF TOWN HEARINGS

Held January 1st to December 31st, 1988

APPLICATIONS HEARD

Month	Location	Adjourned	Denied	Granted	Hearing	Pending
January	Toronto	13	1	47	2	0
February	Barrie	0	0	0	1	0
	Belleville	1	0	0	0	0
	Kingston	0	0	1	0	0
	London	2	1	4	2	0
	Toronto	4	0	23	2	1
March	Barrie	1	0	11	1	0
	Hamilton	1	4	6	0	0
	Kitchener	3	1	8	2	0
	London	0	0	3	0	0
	Niagara Falls	0	1	0	0	0
	Ottawa	1	0	6	1	0
	Toronto	23	4	42	10	1
	Windsor	1	2	3	2	1
April	Belleville	0	1	0	0	0
	Dryden	0	1	9	1	0
	Kapuskasing	0	3	5	1	0
	Kingston	0	1	4	1	0
	Kitchener	0	2	16	0	0
	London	0	0	17	0	0
	North Bay	2	5	20	0	0
	Ottawa	0	0	13	5	0
	Peterborough	0	2	5	2	0
	Sault Ste. Marie	0	1	7	1	0
	Sudbury	0	5	17	0	0
	Thunder Bay	0	6	4	4	0
	Timmins	0	0	5	0	0
	Toronto	18	13	77	5	0
	Windsor	0	1	7	1	0

.....2.

APPLICATIONS HEARD - CONTINUED

Month	Location	Adjourned	Denied	Granted	Hearing	Pending
May	London	0	0	1	0	0
	Owen Sound	0	0	1	0	0
	Renfrew	0	0	1	0	0
	Sault Ste. Marie	0	0	1	0	0
	St. Catharines	0	2	0	0	0
	Toronto	3	23	134	14	0
June	Brantford	0	0	1	0	0
	Dryden	0	1	2	0	0
	Goderich	0	0	1	0	0
	Huntsville	0	0	0	1	0
	Kitchener	0	0	2	0	0
	Niagara Falls	0	0	0	2	0
	North Bay	0	0	3	0	0
	Sudbury	0	0	1	0	0
	Thunder Bay	0	0	5	0	0
	Toronto	70	3	16	16	0
July	Cochrane	0	0	1	0	0
	Hamilton	0	0	3	0	1
	Kapuskasing	0	0	5	0	0
	London	1	2	5	0	0
	Ottawa	0	1	6	0	0
	Sault Ste. Marie	1	0	0	0	0
	Toronto	5	8	14	28	2
	Windsor	0	0	1	0	0
August	Kingston	0	0	4	0	0
	Kitchener	0	0	2	0	0
	London	0	0	2	0	0
	Owen Sound	0	1	0	0	0
	Sudbury	0	0	2	1	0
	Toronto	1	3	19	8	0

.....3.

APPLICATIONS HEARD - CONTINUED

Month	Location	Number	Adjourned	Granted	Denied	Pending
September	Dryden	0	2	12	0	0
	Kapuskasing	0	2	3	0	0
	Kitchener	0	3	16	0	0
	London	0	2	14	0	0
	North Bay	0	1	11	0	0
	Ottawa	0	3	24	0	0
	Sault Ste. Marie	0	1	10	0	0
	Sudbury	0	2	8	0	0
	Thunder Bay	1	2	15	0	0
	Timmins	0	0	4	0	1
	Toronto	5	23	64	1	0
	Windsor	0	1	5	0	0
October	Kingston	0	0	1	0	0
	London	1	1	7	1	0
	Ottawa	2	0	6	0	0
	Peterborough	1	0	0	0	0
	Sudbury	0	1	0	0	0
	Toronto	8	8	79	1	0
November	Barrie	0	2	0	0	0
	Kitchener	1	0	2	0	0
	North Bay	0	1	5	0	0
	Toronto	10	1	19	0	0
	Welland	0	0	2	0	0
	Windsor	1	0	0	0	0
December	Kingston	0	0	2	1	0
	London	2	1	6	0	0
	North Bay	1	0	1	0	0
	Ottawa	0	4	9	0	0
	Toronto	6	3	16	1	0
TOTAL		190	163	934	119	7